

# **Exhibit 3**



**GEARY, PORTER & DONOVAN**

A PROFESSIONAL CORPORATION

ATTORNEYS AND COUNSELORS

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February 16, 2009

Capital Development, LLC  
3925 Beech Avenue  
Baltimore, Maryland 21211

**VIA FACSIMILE AND FEDERAL EXPRESS**

Re: Contract of Sale dated effective June 17, 2008 ("Contract"), as amended by that certain First Amendment to Contract of Sale dated effective August 21, 2008 (the "First Amendment") by and between Capital Development, LLC, a Maryland limited liability company ("Seller"), and JLB Realty LLC, a Texas limited liability company ("Purchaser"), concerning approximately 5.573 acres of real property situated in Baltimore County, Maryland (the "Property")

Gentlemen:

This letter is written on behalf and at the request of the Purchaser in order to notify you that because the Release described in Section 2 of the First Amendment has not been obtained or recorded as required by the First Amendment, Purchaser has elected to and does hereby terminate the Contract pursuant to the provisions of Section 2 of the First Amendment. By copy of this letter to Stewart Title Guaranty Company (the "Title Company") and in accordance with Section 2 of the First Amendment, the Title Company is hereby instructed to return the Earnest Money deposit, and all interest earned thereon, to Purchaser, except that the sum of \$50.00 should be paid to the Seller as independent consideration as provided in the Contract. Please do not hesitate to contact the undersigned in the event you have any questions with regard to this matter.

Very truly yours,

GEARY, PORTER & DONOVAN,  
A Professional Corporation

By:   
David M. Tatum

DMT/kaf

cc: Mr. David Holmes (via facsimile)  
Barry C. Greenberg, Esq. (via facsimile)  
Mr. Bay Miltenberger (via e-mail)  
Mr. Gary Plichta (via e-mail)  
Mr. Ben Kershberg (via e-mail)  
Mr. Joseph G. Blume, Jr. (via facsimile)  
Mr. Howard Perlow (via facsimile)  
Mr. Russ Cobb (via e-mail)  
Mr. Glenn Jones (via e-mail)

